

Town Board Minutes

Meeting No. 19

Special Meeting

August 7, 2000

Town Board Minutes

August 7, 2000

Meeting No. 19

A joint meeting of the Town Board and the Planning Board of the Town of Lancaster, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 7th day of August 2000, at 6:30 PM and there were

PRESENT: ROBERT GIZA, SUPERVISOR
 MARK MONTOUR, COUNCIL MEMBER
 GEORGETTE PELLETTERIE, COUNCIL MEMBER
 DONNA STEMPIAK, COUNCIL MEMBER
 RICHARD ZARBO, COUNCIL MEMBER
 JOHN GOBER, PLANNING BOARD MEMBER
 MELVIN SZYMANSKI, PLANNING BOARD MEMBER
 MILDRED WHITTAKER, PLANNING BOARD MEMBER

ABSENT: FRANK DE CARLO, PLANNING BOARD MEMBER
 STANLEY KEYSA, PLANNING BOARD CHAIRMAN
 DAVID MARRANO, PLANNING BOARD MEMBER
 STEVEN SOCHA, PLANNING BOARD MEMBER

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
 THOMAS PRZYBYLA, DEPUTY TOWN ATTORNEY
 JEFFREY SIMME, BUILDING INSPECTOR
 ROBERT LABENSKI, TOWN ENGINEER

PURPOSE OF MEETING:

This joint meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee for a State Environmental Quality Review of four (4) actions.

**IN THE MATTER OF THE SEQR REVIEW OF THE
KEYSA PARK RENOVATIONS**

The Municipal Review Committee proceeded with the short Environmental Assessment Form on the Keysa Park Renovations matter with an item for item review and discussion of the project impact and magnitude as outlined on the Short Environmental Assessment Form, entitled "Part II Environmental Assessment", which was provided to each member.

THE FOLLOWING RESOLUTION WAS OFFERED
BY PLANNING BOARD MEMBER GOBER
WHO MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER PELLETTERIE, TO WIT:

RESOLVED, that the following Negative Declaration be adopted.

**NOTICE OF DETERMINATION:
KEYSA PARK RENOVATIONS
NEGATIVE DECLARATION**

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is an unlisted action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.7, the lead agency now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with 617.12.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Richard J. Sherwood, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 9± acres.

The location of the premises being reviewed is situate on Vandenburg Avenue.

REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found, in their item for item completion of the Short Environmental Assessment Form on this proposed action as follows:

- A. The action does not exceed any type 1 threshold in 6 NYCRR, Part 617.4.
- B. The action will not receive coordinated review as provided for unlisted actions in 6 NYCRR, Part 617.6.
- C. The proposed action will not result in any adverse effects associated with the following:
 - C.1 Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems.
No significant adverse effects noted
 - C.2 Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character.
No significant adverse effects noted
 - C.3 Vegetation or fauna, fish, shellfish or wildlife species significant habitats, or threatened or endangered species.
No significant adverse effects noted
 - C.4 A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources.
No significant adverse effects noted
 - C.5 Growth, subsequent development, or related activities likely to be induced by the proposed action.
No significant adverse effects noted
 - C.6 Long term, short term, cumulative, or other effects not identified in C1-C5.
No significant adverse effects noted
 - C.7 Other impacts (including changes in use of either quantity or type of energy).
No significant adverse effects noted
- D. The project will have no impact on the environmental characteristics that caused the establishment of a CEA.
- E. There is not, nor is there likely to be, controversy related to potential adverse environmental impacts.

s/s _____

Robert H. Giza, Supervisor
Town of Lancaster

SEAL

August 7, 2000

and,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

SUPERVISOR GIZA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
PLANNING BOARD MEMBER DE CARLO	WAS ABSENT
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER MARRANO	WAS ABSENT
PLANNING BOARD CHAIRMAN KEYSA	WAS ABSENT
PLANNING BOARD MEMBER SOCHA	WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD MEMBER WHITTAKER	VOTED YES

The Notice of Determination was thereupon unanimously adopted.

August 7, 2000

**IN THE MATTER OF THE SEQR REVIEW OF THE
TOPS FUELING STATION SITE PLAN**

The Municipal Review Committee proceeded with the Long Environmental Assessment Form on the Tops Fueling Station Site Plan matter with an item for item review and discussion of the project impact and magnitude as outlined on the Long Environmental Assessment Form entitled "Part 2 Project Impacts and Their Magnitude" which was provided to each member.

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL MEMBER STEMPNIAK, WHO MOVED
ITS ADOPTION, SECONDED BY PLANNING
BOARD MEMBER SZYMANSKI, TO WIT:

RESOLVED, that the following Negative Declaration be adopted:

**NOTICE OF DETERMINATION
TOPS FUELING STATION SITE PLAN
NEGATIVE DECLARATION**

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is a Type 1 action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.7, the lead agency now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with 617.12.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Richard J. Sherwood, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately .25 acres.

The location of the premises being reviewed is at the existing Tops Store at French Road and Transit Road.

REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found the proposed action impacts to be as follows:

1. The proposed action will not result in a physical change to the project site.
2. The proposed action will not effect any unique or unusual land forms found on the site.
3. The proposed action will not affect any water body designated as protected.
4. The proposed action will not affect any non-protected existing or new body of water.
5. The proposed action will require the storage of more than 1,100 gallons of petroleum products which may, therefore, cause a small to moderate impact on surface or ground water quality or quantity.
 - a) It is noted that a State Pollution Discharge Elimination System (SPDES) General Permit for Discharge from Construction Activities is required.
6. The proposed action will not alter drainage flow patterns or surface water runoff.
7. The proposed action may have a small to moderate impact on air quality.
8. The proposed action will not affect any threatened or endangered species.
9. The proposed action will not substantially affect non-threatened or endangered species.
10. The proposed action will not affect agricultural land resources.
11. The proposed action will not affect aesthetic resources.
12. The proposed action will not impact any site or structure of historic, pre-historic or paleontological importance.
13. The proposed action will not affect the quantity or quality of existing or future open spaces or recreational opportunities.

14. The proposed action may alter the present patterns of movement of people and/or goods, thereby causing a small to moderate impact on existing transportation systems.
15. The proposed action will not affect the community's sources of fuel or energy supply.
16. There will not be objectionable odors, noise, or vibration as a result of this proposed action.
17. The proposed action may cause a risk of explosion or release of hazardous substances, thereby causing a small to moderate impact on public health and safety.
18. The proposed action may cause a demand for additional community services, thereby causing a small to moderate impact on the character of the existing community.
19. There is not, nor is there likely to be, public controversy related to potential adverse environmental impacts.

s/s _____

SEAL

Robert H. Giza, Supervisor
Town of Lancaster

August 7, 2000

and,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

SUPERVISOR GIZA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED NO
PLANNING BOARD MEMBER DE CARLO	WAS ABSENT
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD CHAIRMAN KEYSA	WAS ABSENT
PLANNING BOARD MEMBER MARRANO	WAS ABSENT
PLANNING BOARD MEMBER SOCHA	WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD MEMBER WHITTAKER	VOTED YES

The Notice of Determination was thereupon adopted.

August 7, 2000

**IN THE MATTER OF THE SEQR REVIEW OF THE
TREE OF LIFE SITE PLAN**

The Municipal Review Committee proceeded with the Long Environmental Assessment Form on the Tree of Life site plan matter with an item for item review and discussion of the project impact and magnitude as outlined on the Long Environmental Assessment Form entitled "Part 2 Project Impacts and Their Magnitude" which was provided to each member.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK
WHO MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ZARBO, TO WIT:

RESOLVED, that the following Negative Declaration be adopted:

**NOTICE OF DETERMINATION
TREE OF LIFE SITE PLAN MATTER
NEGATIVE DECLARATION**

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is a Type 1 action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.7, the lead agency now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with 617.12.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Richard J. Sherwood, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 25± acres.

The location of the premises being reviewed is 6090 Broadway.

REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found the proposed action impacts to be as follows:

1. The proposed action may result in a small to moderate physical change to the project site, based on the following:
 - a) Construction on land where the depth to the water table is less than three (3) feet.
 - b) Construction may continue for more than one (1) year.
2. The proposed action will not effect any unique or unusual land forms found on the site.
3. The proposed action will not affect any water body designated as protected.
4. The proposed action will not affect any non-protected existing or new body of water.
5. The proposed action will not affect surface or ground water quality or quantity.
It is noted that a State Pollution Discharge Elimination System (SPDES) General Permit for Discharge from Construction Activities is required.
6. The proposed action will not alter drainage flow patterns or surface water runoff.
7. The proposed action may have a small to moderate impact on air quality based on the following:
The possibility of 1,000 vehicle trips in any given hour.
8. The proposed action may have a small to moderate impact on threatened or endangered species based on the possible use of pesticides or herbicides more than twice a year.
9. The proposed action will not substantially affect non-threatened or endangered species.
10. The proposed action will not affect agricultural land resources.
11. The proposed action may have a small to moderate impact on aesthetic resources.

12. The proposed action will not impact any site or structure of historic, pre-historic or paleontological importance.
13. The proposed action will not affect the quantity or quality of existing or future open spaces or recreational opportunities.
14. The proposed action may have a small to moderate impact on existing transportation systems.
15. The proposed action will not affect the community's sources of fuel or energy supply.
16. There will not be objectionable odors, noise, or vibration as a result of this proposed action.
17. The proposed action will not affect public health and safety.
18. The proposed action may have a small to moderate impact on the character of the existing community based on the following:
 - a) A small to moderate change in the density of land use.
 - b) A small to moderate demand for additional community services.
19. There is not, or is there likely to be, public controversy related to potential adverse environmental impacts.

s/s _____

SEAL

Robert H. Giza, Supervisor
Town of Lancaster

August 7, 2000

and,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

SUPERVISOR GIZA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
PLANNING BOARD MEMBER DE CARLO	WAS ABSENT
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD CHAIRMAN KEYSA	WAS ABSENT
PLANNING BOARD MEMBER MARRANO	WAS ABSENT
PLANNING BOARD MEMBER SOCHA	WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD MEMBER WHITTAKER	VOTED YES

The Notice of Determination was thereupon unanimously adopted.

August 7, 2000

**IN THE MATTER OF THE SEQR REVIEW OF THE
AMERICAN SALES COMPANY, INC. SITE PLAN**

The Municipal Review Committee proceeded with the Long Environmental Assessment Form on the American Sales Company, Inc. (HBC Distribution Center Expansion) matter with an item for item review and discussion of the project impact and magnitude as outlined on the Long Environmental Assessment Form entitled "Part 2 Project Impacts and Their Magnitude" which was provided to each member.

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL MEMBER STEMPNIAK, WHO MOVED
ITS ADOPTION, SECONDED BY PLANNING
BOARD MEMBER WHITTAKER, TO WIT:

RESOLVED, that the following Negative Declaration be adopted:

**NOTICE OF DETERMINATION
AMERICAN SALES COMPANY, INC SITE PLAN
NEGATIVE DECLARATION**

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is a Type 1 action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.7, the lead agency now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with 617.12.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Richard J. Sherwood, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 30 acres.

The location of the premises being reviewed is at 4201 Walden Avenue.

REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found the proposed action impacts to be as follows:

1. The proposed action may result in a small to moderate physical change to the project site based on the following:
 - a) Construction on land where the depth to the water table is less than three feet.
2. The proposed action will not effect any unique or unusual land forms found on the site.
3. The proposed action will not affect any water body designated as protected.
4. The proposed action will not affect any non-protected existing or new body of water.
5. The proposed action will not affect surface or ground water quality or quantity.
It is noted that a State Pollution Discharge Elimination System (SPDES) General Permit for Discharge from Construction Activities is required.
6. The proposed action will not alter drainage flow patterns or surface water runoff.
7. The proposed action will allow an increase in the density of industrial development within existing industrial areas and thereby, may have a small to moderate impact on air quality.
8. The proposed action will not affect any threatened or endangered species.
9. The proposed action will not substantially affect non-threatened or endangered species.
10. The proposed action will not affect agricultural land resources.
11. The proposed action will not affect aesthetic resources.
12. The proposed action will not impact any site or structure of historic, pre-historic or paleontological importance.

13. The proposed action will not affect the quantity or quality of existing or future open spaces or recreational opportunities.
14. The proposed action may have a small to moderate impact on existing transportation systems.
15. The proposed action not affect the community's sources of fuel or energy supply.
16. There will not be objectionable odors, noise, or vibration as a result of this proposed action.
17. The proposed action will not affect public health and safety.
18. The proposed action may have a small to moderate impact on the character of the existing community based on the following:
 - a) A small to moderate change in the density of land use.
 - b) A small to moderate demand for additional community services.
 - b) A small to moderate impact on employment.
19. There is not, or is there likely to be, public controversy related to potential adverse environmental impacts.

s/s _____

SEAL

Robert H. Giza, Supervisor
Town of Lancaster

August 7, 2000

and,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

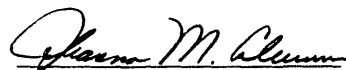
SUPERVISOR GIZA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
PLANNING BOARD MEMBER DE CARLO	WAS ABSENT
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD CHAIRMAN KEYSA	WAS ABSENT
PLANNING BOARD MEMBER MARRANO	WAS ABSENT
PLANNING BOARD MEMBER SOCHA	WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD MEMBER WHITTAKER	VOTED YES

The Notice of Determination was thereupon unanimously adopted.

August 7, 2000

ADJOURNMENT:

ON MOTION DULY MADE, SECONDED AND CARRIED, this meeting was adjourned at 7:25 P.M.


Johanna M. Coleman, Town Clerk

Town Board Minutes

Meeting No. 20

Regular Meeting

August 7, 2000

Town Board Minutes

August 7, 2000

Meeting No. 20

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 7th day of August 2000 at 8:00 P.M. and there were

PRESENT: MARK MONTOUR, COUNCIL MEMBER
GEORGETTE PELLETTERIE, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
RICHARD ZARBO, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
ROBERT LABENSKI, TOWN ENGINEER
THOMAS PRZYBYLA, DEPUTY TOWN ATTORNEY
JEFFREY SIMME, BUILDING INSPECTOR
LEON TRZEWIECZYNSKI, CAPTAIN, POLICE DEPARTMENT
CHRISTINE FUSCO, ASSESSOR
RICHARD REESE JR., HIGHWAY SUPERINTENDENT

PERSONS ADDRESSING TOWN BOARD:

Brett, James, 659 Harris Hill Road, spoke to the Town Board on the following matter:

- Comments re: the "in the pipeline" rule as it relates to a potential moratorium on building.

Schneggenburger, Roy, 87 Stony Road, spoke to the Town Board on the following matters:

- Questions re: salaries for Assessment Review Board.
- Comments re: the Planning Board Meeting of June 21, 2000.

Juszczak, Joseph, 600 Pleasant View Drive, spoke to the Town Board on the following matter:

- Requests an answer to a June 27, 2000 communication to Council Member Montour.

Symer, Donald, 610 Columbia, Avenue, spoke to the Town Board on the following matters:

- Concerns re: American Sales Co., Inc. and the possibility of their requesting an assessment reduction.
- Concerns re: traffic associated with American Sales expansion.

Kubicki, Gloria, 15 Maple Drive, spoke to the Town Board on the following matters:

- Comments re: the Ferry rezone public hearing.
- Questions re: the consolidation of voter registration.
- Questions to Mr. Zarbo about his recommended interview procedure suggested to Chief Fowler.
- Comments re: proposed moratorium.
- Comments re: dumping by Bella Vista.

John Boller, Seneca Street, West Seneca, spoke to the Town Board on the following matter:

- Concerns re: the Tops Fueling Station.

Bill Tuyn, 60 Earhardt Drive, Williamsville, spoke to the Town Board on the following matter:

- Comments & concerns re: the fact that the Windsor Ridge Project is not on tonight's agenda to set public hearing.

Lou Salvatore, 15 Parkdale Drive, spoke to the Town Board on the following matter:

- Questions about the size of the sewers to be placed in the proposed Ferry Bldrs. Subdivision and potential drainage concerns.

Randi Dressel, 5011 William Street, spoke to the Town Board on the following matter:

- Brought to the attention of the Town Board an alleged serious drainage and flooding problem in her back yard.

Gary Fricke, 46 Signal Drive, spoke to the Town Board on the following matter:

- Comments re: flooding at his property.

Lena Winsor, 833 Erie Street, spoke to the Town Board on the following matter:

- An alleged stranger in a car taking pictures of her home and her children.

Richard Korcz, 4946 William Street, spoke to the Town Board on the following matters:

- Questions re: Tops Fueling Station.
- Questions re: project at William and Aurora Streets.

PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:

At 8:30 P.M., the Town Board held a Public Hearing to hear all interested persons upon a proposed amendment to the Town Ordinance entitled "Yard Sales".

The affidavits of publication of this Public Hearing are on file and a copy of the Public Notice has been posted.

PROPOSERS

OPPOSERS

None

None

COMMENTS & QUESTIONS

ADDRESS

Donald Symer

610 Columbia Avenue

ON MOTION BY COUNCIL MEMBER STEMPNIAK, AND
SECONDED BY COUNCIL MEMBER PELLETTERIE AND CARRIED, by unanimous
voice vote, the Public Hearing was closed at 8:34 P.M.

The Supervisor informed those present that the Town Board would reserve
decision on this matter.

PUBLIC HEARING SCHEDULED FOR 8:45 P.M.:

At 8:45 P.M., the Town Board held a Public Hearing to hear all interested persons upon a proposed amendment to the Vehicle & Traffic Ordinance of the Town of Lancaster, Erie County, New York designated as Chapter 46 of the Code of said Town.

The affidavits of publication of this Public Hearing are on file and a copy of the Public Notice has been posted.

PROPOSERS

None

OPPOSERS

None

COMMENTS & QUESTIONS

None

ON MOTION BY COUNCIL MEMBER ZARBO, AND SECONDED BY COUNCIL MEMBER MONTGOMERY AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:46 P.M.

The Town Board, later in the meeting, adopted a resolution, hereinafter spread at length in these minutes, taking favorable action upon this matter.

PUBLIC HEARING SCHEDULED FOR 8:55 P.M.:

At 8:55 P.M., the Town Board held a Public Hearing to hear all interested persons upon the application of Thomann Asphalt and Paving Corporation, for a Special Use Permit, for a retail auto dealer license on premises locally known as 56 Gunnville Road in the Town of Lancaster, County of Erie and State of New York.

The affidavit of publication of this Public Hearing is on file and a copy of the Public Notice has been posted.

PROPOSERS

ADDRESS

Scott Conway, Representative Of Thomann Asphalt Paving Corporation	4560 Walden Avenue
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OPPOSERS

COMMENTS & QUESTIONS

None

None

ON MOTION BY COUNCIL MEMBER ZARBO, AND SECONDED
BY COUNCIL MEMBER MONTOUR AND CARRIED, by unanimous voice vote, the Public
Hearing was closed at 8:59 P.M.

The Town Board, later in the meeting, adopted a resolution, hereinafter
spread at length in these minutes, taking favorable action upon this matter.

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

RESOLVED, that the minutes from the Regular Meeting of the Town Board
held on July 17, 2000 be and hereby are approved.

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 7, 2000

File: RMIN (P2)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, WIT:

RESOLVED, that the 2000 Schedule of Salaries adopted January 1, 2000 be
and is hereby amended as follows:

TO BE PAID ON A PER DIEM BASIS

Assessment Review Board Chairperson	195.00 per day
Assessment Review Board Members (5)	155.00 per day ea.

The question of the adoption of the foregoing resolution was duly put to a vote on
roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 7, 2000

File:Rpers/rsalary amend

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ZARBO, TO WIT:

WHEREAS, Section 5.202.5 of the Election Law of the State of New York, provides for consolidation of Election Districts for the purpose of registration of voters, and

WHEREAS, the Town Clerk of the Town of Lancaster has consolidated polling places for the years through 1999 thereby resulting in a substantial cost savings to the taxpayers of the Town of Lancaster, and

WHEREAS, the Town Clerk has informed the Town Board that she wishes to take advantage of Section 5.202.5 of the Election Law to save taxpayers more than \$20,000.00 in inspector payroll costs.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk of the Town of Lancaster be and is hereby authorized to contact the Erie County Board of Elections and request authorization from the Erie County Board of Elections for the consolidation of forty-four (44) polling places within the Town of Lancaster for the October 2000 Registration of Voters into a single place of registration, that is the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 7, 2000

file: Reconsolidate Registration

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
ZARBO, TO WIT:

WHEREAS, Pleasantview Associates, 2730 Transit Road, West Seneca,
New York 14224, has applied to the Town Board of the Town of Lancaster for a permit to
construct a Public Improvement upon real property in the Town of Lancaster within Stony
Brook Subdivision, Phase IV(c).

WHEREAS, the Town Engineer of the Town of Lancaster has certified
on the following permit application that he has reviewed the improvement plans and permit
application for the installation of the public improvement requested, and that it conforms to
the Ordinances of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that Public Improvement Permit Application No. 521 of
Pleasantview Associates, 2730 Transit Road, West Seneca, New York, for the installation of:

P.I.P. No. 521
(Street Lights)

All wire conduits, poles, lamps, lampholders,
photocells, and other appurtenances required in the
installation of three (3) street lights on Stony Brook
Drive.

be and is hereby approved and the installation of the improvement requested be and is hereby
authorized.

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 7, 2000

File: RPIP (P19)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
MONTOUR, TO WIT:

WHEREAS, Marrano/Marc Equity Corporation, 2730 Transit Road,
West Seneca, New York 14224, has applied to the Town Board of the Town of Lancaster for
a permit to construct a Public Improvement upon real property in the Town of Lancaster
within Summerfield Farms Subdivision, Phase I.

WHEREAS, the Town Engineer of the Town of Lancaster has certified
on the following permit application that he has reviewed the improvement plans and permit
application for the installation of the public improvement requested, and that it conforms to
the Ordinances of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that Public Improvement Permit Application No.519 of
Marrano/Marc Equity Corporation, 2730 Transit Road, Lancaster, New York, for the
installation of:

P.I.P. No. 519	All wire conduits, poles, lamps, lampholders,
(Street Lights)	photocells, and other appurtenances required in the
	installation of five (5) street lights on Summerfield
	Drive and four (4) street lights on Farmview Court.

be and is hereby approved and the installation of the improvement requested be and is hereby
authorized.

The question of the adoption of the foregoing resolution was duly put to a
vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTIERE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 7, 2000

File: RPIP (P18)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
STEMPNIAK, TO WIT:

WHEREAS, Marrano/Marc Equity Corporation, 2730 Transit Road,
West Seneca, New York 14224, has applied to the Town Board of the Town of Lancaster for
a permit to construct a Public Improvement upon real property in the Town of Lancaster
within Trentwood Trail Subdivision, Phase II.

WHEREAS, the Town Engineer of the Town of Lancaster has certified
on the following permit application that he has reviewed the improvement plans and permit
application for the installation of the public improvement requested, and that it conforms to
the Ordinances of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that Public Improvement Permit Application No. 520 of
Marrano/Marc Equity Corporation, 2730 Transit Road, Lancaster, New York, for the
installation of:

P.I.P. No. 520
(Street Lights)

All wire conduits, poles, lamps, lampholders,
photocells, and other appurtenances required in the
installation of five (5) street lights on Trentwood
Trail.

be and is hereby approved and the installation of the improvement requested be and is hereby
authorized.

The question of the adoption of the foregoing resolution was duly put to a
vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 7, 2000

File: RPIP (P20)

PREFILED RESOLUTION NO. 7 - MEETING OF 08/07/2000

Pelletterie/ _____

Set Public Hearing Re: Local Law Proposed 2000 Entitled
"Residential And Commercial Real Estate Development" [Local
Law: Residential And Commercial Real Estate Development]

At the request of Council Member Pelletterie, this resolution was
withdrawn.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, the Town Board has received complaints from residents of
the Glendale-Parkdale area regarding problems with aging trees in the Town right-of-way, and

WHEREAS, the General Crew Chief in the Department of Parks, Senior
Facility and Building and Grounds has inspected the area and requested a consulting arborist to
also evaluate the area, and

WHEREAS, the consulting arborist has submitted a proposal to provide a
written report with a recommendation for each tree in the Town right-of-way in this area at a
total cost of \$1,320.00, and

WHEREAS, the Town Board has reviewed the written recommendation of
the General Crew Chief and believes it to be in the interest of the public to engage the
consulting arborist for the beforementioned fee of \$1,320.00 to be paid for from the Tree
Planting Impact Fee Fund;;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby
authorizes the Supervisor to enter into a contract with William A. Snyder, registered
Consulting Arborist for the sum of \$1,320.00 to prepare a written evaluation and
recommendation regarding each tree in the town right-of-way in the Glendale-Parkdale area,
such contract being for specialized professional services and otherwise less than the
requirements for invitation to bid under General Municipal Law §103.

The question of the adoption of the foregoing resolution was duly put to a
vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETIERE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 7, 2000

File: rarborst.800

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ZARBO, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has heretofore held a public hearing pursuant to Chapter 50-Zoning Section 46 of the Code of the Town of Lancaster upon the application of **Thomann Asphalt Paving Corp.**, for a Special Use Permit for the purpose of obtaining a retail auto dealer license at premises located at 56 Gunnville Road in the Town of Lancaster, New York, and

WHEREAS, persons for and against such Special Use Permit have had an opportunity to be heard;

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Chapter 50, §46 of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit to **Thomann Asphalt Paving Corp.**, for the purpose of obtaining a retail auto dealer license at premises locally known as 56 Gunnville Road, in the Town of Lancaster, New York, upon the terms and conditions as set forth in the Zoning Ordinance of the Town of Lancaster and the following specific condition:

- That vehicles will not be offered for resale on the premises.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 7, 2000

File: rasup.800

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA , WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER PELLETTERIE, TO WIT:

WHEREAS, a Public Hearing was held on the 7th day of August, 2000
for the purpose of amending Chapter 46 - Vehicle and Traffic Ordinance of the Code of the
Town of Lancaster; and persons for and against such amendment have had an opportunity to be
heard,
and

WHEREAS, a Notice of said Public Hearing was duly published and
posted;

**NOW, THEREFORE, BE IT
RESOLVED**, as follows:

1. That Chapter 46, Vehicle and Traffic Ordinance of the Code of the
Town of Lancaster be amended in the form attached hereto and made a
part hereof;
2. That said amendment be added in the minutes of the meeting of the
Town Board of the Town of Lancaster held on August 7, 2000;
3. That a Certified Copy thereof be published in the Lancaster Bee on
August 10, 2000;
4. That a Certified Copy of the amendment be posted on the Town
Bulletin Board;
5. That Affidavits of Publication and Posting be filed with the Town
Clerk;
6. That the Highway Superintendent take whatever action is necessary to
install signs in accordance with the Law.

The question of the adoption of the foregoing resolution was duly put to a
vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 7, 2000
File: rvtorda.800

**LEGAL NOTICE
NOTICE OF ADOPTION
AMENDMENT TO VEHICLE & TRAFFIC ORDINANCE
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK**

NOTICE IS HEREBY GIVEN that the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of the Town of Lancaster is hereby amended as follows:

CHAPTER 46

STOP AND YIELD INTERSECTIONS

§46-8, Stop Intersections designated, is hereby amended by adding thereto the following:

PARKEDGE SUBDIVISION

<u>STREET NAME</u>	<u>INTERSECTING STREET</u>	<u>SIGN LOCATION</u>
Parkedge Drive	Creekwood Drive	S/E Corner

August 7, 2000

STATE OF NEW YORK :
COUNTY OF ERIE : ss:
TOWN OF LANCASTER :

THIS IS TO CERTIFY that I, JOHANNA M. COLEMAN, Town Clerk of the Town of Lancaster in the said Town of Lancaster in the said County of Erie, have compared the foregoing copy of an amendment to the Vehicle and Traffic Ordinance of the Town of Lancaster, with the original thereof filed in my office at Lancaster, New York on the 7th day of August, 2000, and that the same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Town, this 7th day of August, 2000.


Johanna M. Coleman, Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA , WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
MONTOUR, TO WIT:

WHEREAS, the New York State Division of Criminal Justice Services (DCJS) has advised the Town that it is prepared to conduct an administrative study of the Town of Lancaster Police Department and the merger of the Village of Lancaster Police Department into the Town Police Department, and

WHEREAS, the study and report will be at no cost to the Town of Lancaster, and

WHEREAS, the Town Board, after due review of this matter deems it in the public interest to enter into an Agreement with the DCJS for an administrative study of the merger of the Village of Lancaster Police Department and Town of Lancaster Police Department ;

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Lancaster hereby authorizes the Supervisor and Chief of Police to execute an agreement for the beforementioned study to be completed by the New York State Division of Criminal Justice Services.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 7, 2000

File: ragdcjs.800

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, FERRY BUILDERS, INC., 140 Cemetery Road, Lancaster,
New York, the contract vendee of a parcel of property located on the south side of Broadway, east
side of Parkdale in the Town of Lancaster, New York, has petitioned the Town Board of the said
Town for the rezone of said property from an R1-Residential District One to an R-2 Residential
District Two, and

WHEREAS, the Petition has been referred to the Planning Board of the Town
of Lancaster for its recommendation and report;

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Sections 130 and 265 of the Town Law of the
State of New York a Public Hearing on the proposed rezone will be held at the Town Hall, 21
Central Avenue, Lancaster, New York, on the 21st day of August, 2000, at 8:30 o'clock P.M.,
Local Time, and that Notice of the time and Place of such Hearing be published in the Lancaster
Bee, a newspaper of general circulation in said Town and be posted on the Town Bulletin Board,
and that Notice of such Hearing be referred to the Erie County Department of Planning, pursuant
to Section 239 (m) of the General Municipal Law, which Notice shall be in form attached hereto
and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED NO
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED NO
SUPERVISOR GIZA	VOTED YES

August 7, 2000

File: rrezfery.800

**LEGAL NOTICE
PUBLIC HEARING
REZONE - FERRY - BROADWAY
TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 7th day of August, the said Town Board will hold a Public Hearing on the 21st day of August, 2000, at 8:30 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the following proposed amendment to the Zoning Ordinance and Zoning Map of the Town of Lancaster, rezoning the following described real property located on the south side of Broadway, east side of Parkdale in the Town of Lancaster, New York, from an R-1 - Residential District One to an R-2 - Residential District Two:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie and State of New York, being part of Lot No. 5, Section 7, Township 11, Range 6 of the Holland Land Company's Survey, described as follows:

BEGINNING at a point in the original south line of Broadway at the northeast corner of lands conveyed to Theodore H. Seibert and Mabel his wife by deed recorded in the Erie County Clerk's Office in Liber 3052 of Deeds at page 98;

RUNNING THENCE EASTERLY along the original south line of Broadway, a distance of two hundred fifty-seven (257) feet more or less to the northwest corner of lands conveyed to Warren R. Ehlers and Nancy M. his wife by deed recorded in the Erie County Clerk's Office in Liber 8948 of deeds at page 699;

RUNNING THENCE SOUTHERLY, along the west line of said lands conveyed to Ehlers, three hundred fifty (350) feet to the southwesterly corner thereof;

RUNNING THENCE EASTERLY along the southerly line of said lands conveyed to Ehlers and continuing easterly along the southerly line of lands conveyed to Warren R. Ehlers and Nancy M. His wife by deed recorded in Erie County Clerk's Office in Liber 7927 of Deeds at page 387, to Kenneth R. May and Mary Beth his wife by deed recorded in the Erie County Clerk's Office in Liber 8072 of Deeds at page 103 and to E. Wilson Grau and Theresa K. His wife by deed recorded in the Erie County Clerk's Office in Liber 8132 of Deeds at page 355, a distance of three hundred forty-six (346) feet to the easterly line of Lot Number five (5);

RUNNING THENCE SOUTHERLY along the easterly line of Lot Number five (5), a distance of five hundred seventeen (517) feet more or less to the northeast corner of lands conveyed to the County of Erie by deed recorded in the Erie County Clerk's Office in Liber 7233 of Deeds at page 573;

RUNNING THENCE SOUTHWESTERLY along the northwesterly line of said lands conveyed to the County of Erie, six hundred ninety-nine and ninety-two hundredths to the westerly line of lands conveyed to Lancaster Development Company, Inc., by deed recorded in the Erie County Clerk's Office in Liber 1682 of Deeds at page 599;

RUNNING THENCE NORTHERLY along the westerly line of said lands nine hundred (900) feet more or less to the southwest corner of lands conveyed to Theodore S. Seibert and Mabel his wife by deed first mentioned above;

RUNNING THENCE EASTERLY along the south line of said lands conveyed to Seibert, seventy (70) feet to the southeasterly corner thereof;

RUNNING THENCE NORTHERLY along the east line of lands of Seibert one hundred fifty (150) feet to the point or place of beginning.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: JOHANNA M. COLEMAN
Town Clerk

August 7, 2000

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, the Chief of Police of the Town of Lancaster, by letter dated August 1, 2000, has requested permission for eight (8) police officers of the Town of Lancaster to attend Operation Tri-Star SWAT Team training session at Fort Drum, Watertown, New York from October 1, 2000 through October 6, 2000.

NOW, THEREFORE, BE IT

RESOLVED, that eight (8) police officers of the Police Department of the Town of Lancaster be and are hereby authorized to attend Operation Tri-Star SWAT Team Training at Fort Drum, Watertown, New York from October 1, through October 6, 2000, and

BE IT FURTHER

RESOLVED, that the Supervisor's Office be authorized to issue a check in the amount of \$2,400 to Tri-Star for the registration and accommodation of the eight (8) Police Officers, and

BE IT FURTHER

RESOLVED, that actual out-of-pocket expenses for meals, as well as any other incidental expenses, will be reimbursed upon submission of the proper documentation and substantiation of the expenses, including receipts, to the Accounting Department of the Town of Lancaster.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 7, 2000

file: rsemmigs (P13)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, American Sales Company, Inc., 60 Dingens Street, Buffalo, New York has submitted a Site Plan prepared by, Facility Engineers, 2233 Lake Park Drive, Smyrna, Georgia, and dated June 26, 2000 for the construction of a 285,000 s.f. addition to its existing facility located on the south west corner of Walden Avenue and Pavement Road and locally known as 4201 Walden Avenue in the Town of Lancaster, and

WHEREAS, at its meeting July 26, 2000 the Planning Board reviewed the plan, and recommended approval of this project, and

WHEREAS, a SEQR review was held on this project on August 7, 2000 and a Negative Declaration was issued at that time.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the Site Plan., submitted by **American Sales Company, Inc.**, and prepared by Facility Engineers, 2233 Lake Park Drive, Smyrna, Georgia 30080, and dated June 26, 2000, for the construction of a 285,000 s.f. addition to its existing facility located on the southwest corner of Walden Avenue and Pavement Road, and locally known as 4201 Walden Avenue, Lancaster, New York.

The question of the adoption of the following resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 7, 2000

File: rsite1.800

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, Tops Market, Inc., 6363 Main Street, Williamsville, New York 14221 has submitted a Site Plan prepared by, Bergmann Associates, Engineers 2351 North Forest Road, Getzville, New York and dated May, 2000 and received June 6, 2000 for the installation of a gasoline fueling station consisting of a Canopy, an underground storage tank and kiosk for a total of 3100 \pm s.f. at the Tops Store located at 4777 Transit Road, in the Town of Lancaster, and

WHEREAS, at its meeting July 19, 2000 the Planning Board reviewed the plan, and recommended approval of this project, and

WHEREAS, a SEQR review was held on this project on August 7, 2000 and a Negative Declaration was issued at that time.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the Site Plan., submitted by Tops Markets, Inc., and prepared by Bergmann Associates, Engineers, 2351 North Forest Road, Getzville, New York and dated May, 2000, and received June 6, 2000 for the installation of a gasoline fueling station consisting of a canopy, an underground storage tank and kiosk for a total of 3,100 \pm s.f. at the Tops Store located at 4777 Transit Road, in the Town of Lancaster, New York.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED NO
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED NO
SUPERVISOR GIZA	VOTED YES

August 7, 2000

File: rasite2.800

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ZARBO, TO WIT:

WHEREAS, McIntosh & McIntosh, P.C., Engineers, 1870 Niagara Falls Boulevard, Tonawanda, New York has submitted a Site Plan on behalf of **Tree of Life Church**, dated May 23, 2000 and received May 23, 2000 for the for the construction of a 700 seat church facility on located on the north side of Broadway, east of Pavement Road, in the Town of Lancaster, and

WHEREAS, at its meeting June 7, 2000 the Planning Board reviewed the plan, and recommended approval of this project, and

WHEREAS, a SEQR review was held on this project on August 7, 2000 and a Negative Declaration was issued at that time.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the Site Plan., submitted by McIntosh & McIntosh, P.C, Engineers, on behalf of **Tree of Life Church**, and dated May 23, 2000, and received May 23, 2000 for the construction of a 700 seat church facility on located on the north side of Broadway, east of Pavement Road, in the Town of Lancaster, New York subject to the following conditions:

- "No Parking" signs shall be posted along the driveway;
- Hard surface right-of way along south and west sides;
- Town Line Fire Company to be consulted about island along east side concerning turn-around for fire trucks;
- Topsoil on north side to be reconfigured as a mowable berm;
- Light poles to be 20 ft. high;
- Phase II dumpster to be part of Phase I
- Certification that wetlands conform to U.S. Army Corps of Engineers exemption policy.

The question of the adoption of the following resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 7, 2000

File: rasite3.800

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTGOMERY, TO WIT:

WHEREAS, the Town of Lancaster is in the process of completing a revised Comprehensive Master Plan for the Town, and

WHEREAS, Town Board members have concerns regarding the volume of proposed new residential development within the Town, and

WHEREAS, the Town Board recognizes that there is a public water supply throughout the Town available to new residential developments however since there have been questions raised regarding the water pressure in certain areas of the Town, the Town Board desires input from the Erie County Water Authority, and

WHEREAS, there is sanitary sewer capacity available in the western area of the Town which is essentially bounded by Stony Road in the north and Bowen Road in the south with no significant sewer availability to the east of this line of demarcation with the exception of a line running parallel to Walden Avenue which will permit additional development of the industrial corridor along Walden Avenue, and

WHEREAS, due to the beforementioned sewer capacity the residential growth of the town is limited to the area from Transit Road to Bowen Road in the south end of town and from Transit Road east to Stony Road in the north end of town leaving the eastern half of town remaining undeveloped for lack of sewer together with the significant flood plains and railroad lines that exist in the eastern portion of the Town, and

WHEREAS, the Town Board wants to be certain that there is (1) adequate traffic control in process or planned by the State and County and (2) adequate planning by the Lancaster Central School District for any change in the population of the school district, and (3) adequate planning to continue the high level of services enjoyed by town residents without unduly increasing taxes, and

WHEREAS, there is no commercial or industrial zoned property which would adversely impact the areas of concern as set forth herein as does residential growth, and given the fact that applications for zoning change for any significant commercial or industrial purpose generally take in excess of six (6) months to travel through the review process, and

WHEREAS, the Town Board is sensitive to the needs and rights of all property owners, and

WHEREAS, the Municipal Home Rule Law of the State of New York provides the enabling legislation for the adoption of local laws, by which the Town Board must act if it is to undertake a temporary moratorium affecting the development of property, and

WHEREAS, Town adopted a temporary moratorium on residential construction in 1994 which by its own terms has expired July 1, 1995, and

WHEREAS, after review and consideration, the Town Board of the Town of Lancaster deems it in the public interest to repeal in its entirety, Local Law No. 2 of the Year 1994, entitled, "**Residential Real Estate Development**" and designated as Chapter 34 of the Code of the Town of Lancaster, which expired by its own terms on July 1, 1995, and to enact in place thereof a Local Law of the Year 2000, entitled, "**Residential Subdivision Development**" and, designated as Chapter 34, of the Code of the Town of Lancaster, which reads as follows:

RESIDENTIAL SUBDIVISION DEVELOPMENT

CHAPTER 34

RESIDENTIAL SUBDIVISION DEVELOPMENT

Proposed

LOCAL LAW NO. 1

**Of the Year
2000**

A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF LANCASTER, BY DELETING AND REPEALING, IN ITS ENTIRETY, CHAPTER 34, OF THE CODE OF THE TOWN OF LANCASTER, ENTITLED "RESIDENTIAL REAL ESTATE DEVELOPMENT", AND REPLACING IT WITH A LOCAL LAW OF 2000 ENTITLED, "RESIDENTIAL SUBDIVISION DEVELOPMENT" AND DESIGNATED AS CHAPTER 34, OF THE CODE OF THE TOWN OF LANCASTER.

BE IT ENACTED, by the Town Board of the Town of Lancaster, as follows:

Section 1.

The Code of the Town of Lancaster is hereby amended by deleting and repealing Chapter 34, of the Code, entitled "Residential Real Estate Development".

Section 2.

The Code of the Town of Lancaster is hereby amended by adding thereto a Local Law of the Year 2000, to replace "Chapter 34" as hereinabove repealed, which shall be entitled: "Residential Subdivision Development", and shall read as follows:

RESIDENTIAL SUBDIVISION DEVELOPMENT

Chapter 34

- §34-1. Title.**
- §34.2. Purpose.**
- §34.3. Jurisdiction.**
- §34.4. Definitions.**
- §34.5. Temporary limitations.**
- §34-6. Severability.**
- §34-7. Supersession of statutory provisions.**
- §34-8. When effective.**

§34-1. Title.

This chapter shall hereinafter be known and cited as the "Residential Subdivision Development" of the Town of Lancaster and further designated as Chapter 34 of the Code of the Town of the Town of Lancaster.

§34-2. Purpose.

- A.** It is the purpose of this chapter to temporarily limit new residential subdivision growth in the entire town, in order to address the potential demands occasioned by residential developments which may cause significant stress on (1) the infrastructure, including road systems and the available water pressure, (2) public school system, and (3) town services. Such a moratorium will provide a reasonable time for the Town's Comprehensive Master Plan Committee to complete its current analysis of the town's present and future growth management plan; to present its findings; to allow public comment thereon; and to allow the Town Board to enact appropriate laws relating thereto and to make proposed revisions to the town zoning laws, if necessary.
- B.** Further, it is the purpose of this chapter to fulfill the town's constitutional, statutory and legal obligations to protect and preserve the public health, welfare and safety of the residents of the Town of Lancaster and to protect the value, use and enjoyment of property within the town.

§34-3. Jurisdiction.

This chapter shall apply to the entire Town of Lancaster, excluding the Villages of Lancaster and Depew.

§34-4. Definitions.

For purposes of this chapter, the terms used herein shall be defined as follows:

APPLICATION - Any request for official action by the Town Board, Planning Board, SEQR Municipal Review Committee (MRC), and/or department of the town, which request would, in any way, commence the process whereby land may be developed.

RESIDENTIAL SUBDIVISION DEVELOPMENT:

- A.** Any subdivision of five (5) or more lots, for purposes of constructing one or two family residences, or any size subdivision requiring any new street or extension of municipal facilities; or
- B.** Any townhouse, condominium project or apartment complex involving five (5) or more dwelling units.

§34-5. Temporary limitation.

- A.** For a period commencing on the effective date of this chapter and terminating six (6) months from the effective date, no application for residential subdivision development may be filed, accepted and/or approved except as provided in Subsection B.
- B.** This Chapter shall not apply to (1) any residential subdivision of land that involves five (5) lots or less; (2) any residential subdivision of any size for which an application has heretofore been filed with the Town Clerk as of the effective date of this Local Law; and (3) any residential complex designed to house senior citizens whether as an assisted living center or otherwise.

§34-6. Severability.

If any section, sentence, clause or phrase of this chapter is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this chapter.

§34-7. Supersedure of statutory provisions.

This chapter is intended to supersede §274-a, Subdivision 7, of the Town Law (L. 1992, c.694, §1, effective July 1, 1993), relating to the time within which an application for site plan approval must be decided. This chapter is also intended to supersede §276, Subdivisions 5 (f) and 6 (f), of the Town Law (L.1992 c.727, §1, effective July 1, 1993), relating to default approval of preliminary plat and final plats.

§34-8. When effective.

This chapter shall become effective upon adoption and upon filing with the Secretary of State.

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That pursuant to the Municipal Home Rule Law of the State of New York, and Chapter 26 of the Code of the Town of Lancaster, a Public Hearing on the repeal of Chapter 34, Residential Real Estate Development, (Local Law No. 2 of the Year 1994) and enacting in place thereof a new Local Law of the Year 2000, entitled: "Residential Subdivision Development" and designated as Chapter 34 of the Code of the Town of Lancaster, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, at 9:00 o'clock P.M., Local Time, on the 21st day of August, 2000, and that Notice of the time and Place of such Hearing shall be published on August 10, 2000 in the Lancaster Bee, being a newspaper of general circulation in said Town, which Notice shall be in the form attached hereto and made a part hereof, and

2. That the Town Clerk is hereby directed to make copies of this proposed Local Law for the Year 2000, entitled "Residential Subdivision Development", for inspection by and distribution to any person during business hours.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	ABSTAINED*
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	ABSTAINED*
SUPERVISOR GIZA	VOTED YES

* Abstention based on disapproval of language of resolution

August 7, 2000

File: rlcwh1.800

**LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted August 7, 2000, the said Town Board will hold a Public Hearing on the 21st day of August, 2000, at 9:00 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon a proposed Local Law of the Year 2000, which Local Law repeals Chapter 34 entitled "Residential Real Estate Development", and enacts in place thereof a new Chapter 34, entitled "Residential Subdivision Development", briefly described as follows:

"A Local Law repealing Local Law No. 2 of the Year 1994, entitled Real Estate Development", designated as Chapter 34 of the Code of the Town of Lancaster, and enacting in place thereof a new Local Law of the Year 2000, entitled "Residential Subdivision Development" and designated as Chapter 34 of the Code of the Town of Lancaster.

This Local Law provides a temporary moratorium on residential subdivision development in the entire Town of Lancaster."

A complete copy of this proposed Local Law of the Year 2000, entitled "Residential Subdivision Development", and designated as Chapter 34 of the Code of the Town of Lancaster, is available at the office of the Town Clerk for inspection and distribution to any person during business hours.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

By: **JOHANNA M. COLEMAN**
Town Clerk

August 7, 2000

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER MONTOUR, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered paid from
their respective accounts as per abstract to be filed in the Office of the Town Clerk by the Director
of Administration and Finance, to wit:

Claim No. 3289 to Claim No. 3682 Inclusive

Total amount hereby authorized to be paid: \$994,014.53

The question of the foregoing resolution was duly put to a vote on roll call which
resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 7, 2000

File: Relaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTGOMERY, TO WIT:

RESOLVED that the following Building Permit Applications be and are hereby
approved and the issuance of these Building Permits be and are hereby authorized:

CODES:

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are waived
for this permit.

(CSW) = Conditional sidewalk waiver.

NEW PERMITS:

Pmt #	SW	Applicant Name	Address	Structure
7135		Thoreau Dev of WNY	21 Hedge Ln	Er. Sin. Dwlg
7136		Thoreau Dev of WNY	23 Hedge Ln	Er. Sin. Dwlg
7137		Thoreau Dev of WNY	25 Hedge Ln	Er. Sin. Dwlg
7138		Thoreau Dev of WNY	27 Hedge Ln	Er. Sin. Dwlg
7140		Hamister Development	3953 Walden Ave	Er. Pole Sign
7141		Bidjov, George	4 Rue Madeleine Way	Er Sin. Dwlg
7142		Marrano/Marc Equity	5 Farmview Ct	Er. Sin. Dwlg
7143		Marrano/Marc Equity	3 Farmview Ct	Er. Sin. Dwlg
7144		Paner, John	3 Hillside Pky	Er. Pool
7145		Freidmann, Charles	57 Stream View Ln	Er. Deck
7146		Blanchard, James	31 Stream View Ln	Er. Deck
7147		Transit French Assoc	4779 Transit Rd	Er. Temp Sign
7148		Walnut Creek JT Venture	7 Walnut Creek Trl	Er. Sin. Dwlg
7149		Kowalski, Ronald	180 Stony Rd	Er. Fence
7150		Wagner, James	36 Fox Hunt Rd	Er. Fence
7151		Marrano/Marc Equity	60 Trentwood Trl	Er. Sin. Dwlg
7152		Marrano/Marc Equity	16 Bentley Cir	Er. Sin. Dwlg
7153		Promedicus	4893 Transit Rd	Er. Temp Sign
7154		Stott, Terry	46 Fox Hunt Rd	Er. Fence
7055		Scherbak, Paul	35 Grafton Ct	Er. Deck
7056		Cybulski, Kenneth	41 Country Pl	Er. Fence
7057		Walczyk, Robert	20 Candlestick Ct	Er. Pool
7058		Borkowski, David	28 Schiffler Ct	Er. Sin. Dwlg
7059		Kuehlewind, Charles	17 Running Brk Dr	Er. Deck
7160		Richardson, Craig	53E Home Rd	Er. Deck
7161		English Park Village Land	348 Harris Hill Rd	Er. Pole Sign
7162		Alba, Joseph	9 Ravenwood Dr	Er. Shed
7163		Martin, Theodore	233 Westwood Rd	Res. Addition
7164		Carswell, John	71 Michael Anthony Ln	Er. Deck
7165		Yelich, Michael	11 Woodgate Dr	Er. Shed
7166		Yelich, Michael	11 Woodgate Dr	Er. Gazebo

7167	Glenhollow Assoicates	56 Michael's Walk	Er. Sin. Dwlg
7168	Transit Wehrle Assoc	6733 Transit Rd	Er. Sign Wall
7169	Transit Wehrle Assoc	6733 Transit Rd	Er. Sign Wall
7170	Leahy, Bill	20 Schiffler Ct	Er. Deck
7171	Leahy, Bill	20 Schiffler Ct	Er. Fence
7172	Filippi, Michelle	31 Katelyn Ln	Er. Shed
7173	Capretto Enterprises	699 Pleasant View Dr	Er. Sin. Dwlg
7174	Sisti, John	36 Stream View Ln	Er. Shed
7175	McFarland, Carol	75 Old Post Rd	Er. Shed
7176	RJF Development	4 Schiffler Ct	Er. Sin. Dwlg
7177	Mazur, Ronald	32 Southpoint Dr	Er. Deck
7178	Cudeck, Brian	792 Townline Rd	Er. Deck
7179	Klink, Christopher	5258 William St	Res. Addition
7180	Ortman, Jay	5340 Genesee St	Er. Fence
7181	Crawford, Emily	22 Wainwright Ct	Miscellaneous
7182	Marrano/Marc Equity	75 Old Post Rd	Er. Fence
7183	Kesidis, Ioannis	29 Stream View Ln	Er. Shed
7184	Crawford, Emily	22 Wainwright Ct	Er. Fence
7185	Marrano/Marc Equity	26 Summerfield Dr	Er. Sin. Dwlg
7186	Kuznicki, Mirka	4956 William St	Er. Sin. Dwlg
7187	Ferry, Walter	32 Katelyn Ln	Er. Sin. Dwlg
7188	Kral, David	469N Aurora St	Res. Addition
7189	Kaczmarek, Judith	35 Michael Anthony Ln	Er. Deck
7190	RJF Development	22 Schiffler Ct	Er. Deck
7191	Dudziak, Kevin	13 Park Walk	Er. Pool
7192	Walter, Michael	65 Running Brk Dr	Er. Shed
7193	George, David	5 Stone Hedge Dr	Er. Deck
7194	Loewer, William	28 Fox Hunt Rd	Er. Shed
7195	Oley, Jerome	20 Parkdale Dr	Er. Deck
7196	Salemi, Dennis	238 Enchanted Forest N	Er. Sin. Dwlg
7197	D'Arcy, Michael	563 Erie St	Er. Shed
7198	Jakubowski, Lawrence	40 Village View	Er. Shed
7199	Lisinski, James	15 Southpoint Dr	Er. Shed
7200	Pazderski, Jeffrey	23 Greenmeadow Dr	Er. Pool
7201	Gore, Mark	15 Hill Valley Dr	Res. Addition
7202	Niagara Luthern Dev	5949 Broadway	Er. Res. Apartments
7203	Lesniak-Kuzurkiewicz	5 Montauk Ln	Er. Shed
7204	Lancaster-Rehm Assoc	6363 Transit Rd	Com. Addition
7205	Gerber, Francis	17 Country Pl	Er. Deck
7206	Zehler, William	50 Main St	Er. Deck
7207	Brawdy, Jon	522 Harris Hill Rd	Res. Addition
7208	Brinda, Jeffrey	76 Old Post Rd	Er. Fence
7209	Brucz, Michael	31 Quail Run Ln	Res. Addition
7210	Baldauff, Robert	20 Chestnut Corner	Er. Fence

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 7, 2000

File:Rbldg2

COMMUNICATIONS & REPORTS:

490. Mrs. George (Catherine) Sheehan to Town Board, Planning Board, Police Department -
Express disapproval of rezone application submitted by Ferry Builders, Inc.
DISPOSITION = Planning Committee
491. John Forys to Planning Board, Town Board, Police Department -
Express disapproval of rezone application submitted by Ferry Builders, Inc.
DISPOSITION = Planning Committee
492. Highway Superintendent to Planning Board Chairman -
Questions and comments re: revised preliminary Plat Plan for Buttercup Subdivision.
DISPOSITION = Planning Committee
493. Town Clerk to Town Board -
Transmittal of final report of the 2000 County/Town tax collection. DISPOSITION =
Received and Filed
494. Dawn Skowronski to Supervisor -
Express disapproval of rezone application submitted by Ferry Builders, Inc.
DISPOSITION = Planning Committee
495. Chief of Police to Planning Board Chairman -
Transmittal of approval for site plan of a retail plaza at Aurora Street and William Street.
DISPOSITION = Planning Committee
496. Residents of Woodgate Drive to Supervisor -
Request "Dead End" sign on Woodgate Drive. DISPOSITION = Public Safety Committee
497. Mr. & Mrs. Michael Hocko to Town Attorney -
Request to purchase lot #22 directly behind their home. DISPOSITION = Town Attorney
498. NYS Office of Alcoholism and Substance Services to Executive Director Youth Bureau -
Transmittal of Comprehensive Site Review Report for the Drug Abuse Prevention
Council. DISPOSITION = Received and Filed
499. Alan & Sharon Bielmeier to Supervisor -
Express opposition to proposed subdivision between Broadway and Como Park.
DISPOSITION = Planning Committee
500. State of New York Workers' Compensation Board to Town of Lancaster -
Notice of Public Hearing re: Workers' Compensation Special Funds Study Commission.
DISPOSITION = Received and Filed
501. United States Census to Supervisor -
Transmittal of comments re: Census 2000. DISPOSITION = Received and Filed
502. County of Erie, Dept. of Environment & Planning to Belmont Shelter Corporation -
Recommend approval of application of Payment In Lieu of Taxes (PILOT) for Woodland
Apartments. DISPOSITION = Received and Filed
503. Bishop of Buffalo to Supervisor -
Express appreciation of proclamation presented to him on occasion of Knights of
Columbus Second Annual Bishop's Burse Dinner. DISPOSITION = Received and Filed
504. President, Lancaster Senior Citizens to Senator Volker -
Request grant monies or other financial aid to expand Lancaster Senior Center.
DISPOSITION = Received and Filed
505. Congressman Jack Quinn to Supervisor -
Transmittal of Schedule of *Outreach* Program for our municipality. DISPOSITION =
Received and Filed

506. John Boller to Supervisor, Town Board -
Express disapproval of Tops Supermarkets' application for a fuel station in parking lot.
DISPOSITION = Received and Filed
507. Rosemary Sweeney to Supervisor -
Letter of opposition to Ferry Builders, Inc. rezone application. DISPOSITION =
Planning Committee
508. Mrs Polanski to Town Board -
Presentation of petition opposed to development by Ferry Builders at Broadway, Parkdale
and Bowen Rd. DISPOSITION = Planning Committee
509. Roy Schneggenburger to Planning Board Chairman -
Request for information on various topics. DISPOSITION = Received and Filed
510. Roy Schneggenburger to Planning Board Chairman -
Comments regarding the meeting of July 19, 2000. DISPOSITION = Received and Filed
511. General Crew Chief to Planning Board and Council Members Stempniak and Pelletterie -
Suggestion of alternative landscape plan for Site Plan - Convenient Mart with Gasoline
Sales, William & Aurora Streets. DISPOSITION = Planning Committee
512. Planning Board Chairman to various Town Officials -
Transmittal of Planning Board Minutes for meeting of July 19, 2000. DISPOSITION =
Received and Filed
513. Roy Schneggenburger to Planning Board Chairman -
Concerns and questions re. rezone - Ferry Builders, Broadway. DISPOSITION =
Received and Filed
514. Roy Schneggenburger to Planning Board Chairman -
Questions regarding Comprehensive Master Plan. DISPOSITION = Received and Filed
515. Lori Mundis to Supervisor -
Concerns regarding proposed housing development between Parkdale, Broadway and
Bowen Roads. DISPOSITION = Planning Committee
516. Ronald and Hedy Kuropatwinski to Supervisor -
Express opposition to development between Broadway, Como Park, Bowen Rd and
Parkdale Dr. DISPOSITION = Planning Committee
517. Dan McGrath to Supervisor -
Opposition to Ferry Builders rezone petition, 5733 and 5755 Broadway. DISPOSITION
= Planning Committee
518. Police Chief to William Sweet -
Advisement of installation of "Dead End" or "No Outlet" sign at intersection of Old Post
Road and Woodgate Drive. DISPOSITION = Received and Filed
519. Mr and Mrs Piontkowski to Supervisor and Town Board -
Concerns and questions re. rezone petition, Broadway, Como Park, Bowen Road and
Parkdale Drive. DISPOSITION = Planning Committee
520. Supervisor to Honorable Dale M. Volker -
Request for funding assistance for expansion of Senior Center, 100 Oxford Avenue.
DISPOSITION = Received and Filed
521. Chett Wantuck to Supervisor -
Concerns regarding rezone petition, Broadway, Como Park, Bowen Road and Parkdale
Drive. DISPOSITION = Planning Committee
522. County Dept. of Environment & Planning to Supervisor -
Announcement of services of Stuart I. Brown Associates to conduct surveys on behalf of
municipalities within the Community Development Block Grant Consortium.
DISPOSITION = Received and Filed


523. Kenneth & Deborah Gmerek to Supervisor -
Concerns on rezoning of Pleasantview Drive to Light Industrial. DISPOSITION =
Planning Committee
524. Career Track Training Alert to Supervisor -
Advisement of upcoming seminars. DISPOSITION = Received and Filed
525. Town Clerk to Zoning Board Members, Building Inspector and Dep. Town Attorney -
Transmittal of petitions for meeting to be held August 10, 2000. DISPOSITION =
Received and Filed
526. General Crew Chief to Supervisor -
Request resolution re: hiring a Consulting Arborist re: tree survey on Glendale & Parkdale
Drives. DISPOSITION = Resolution 8/7/2000
527. Erie County Dept. of Environment & Planning to Town Attorney -
Reply to request for lead agency status re: Tree of Life Church. DISPOSITION =
Planning Committee
528. NYS Dept. of Transportation to Deputy Town Attorney -
Comments re: SEQR Tree of Life Church. DISPOSITION = Planning Committee
529. NYS Dept. of Environmental Conservation to Planning Board Chairman -
Designation of SEQR Lead Agency for Tree of Life Church. DISPOSITION = Planning
Committee
530. NYS Office of Real Property Services to Supervisor, Assessor, Town Clerk and School
Officials -
Transmittal of schedule for Distribution of 2000 Star Administrative Aid. DISPOSITION
= Received and Filed
531. Planning Board Chairman to Planning Board , Town Board, Town Engineer, Dep. Town
Attorney & Building Inspector -
Transmittal of minutes from meeting held July 26, 2000. DISPOSITION = Received and
Filed
532. New York State Thruway Authority to Town Clerk -
Conveyance of Final Scoping Document for Williamsville Toll Barrier Improvement
Project. DISPOSITION = Received and Filed
533. Town Attorney Secretary to Town Board -
Lead Agency Designation for Town re: American Sales. DISPOSITION = Planning
Committee
534. Erie County Dept. of Environment & Planning to Town Attorney -
Transmittal of lead agency designation re: American Sales Co. Inc. DISPOSITION =
Planning Committee
535. Erie County Legislature to Supervisor -
Notice of Public Hearing re: Lancaster-Alden and the Alden Agricultural Districts.
DISPOSITION = Received and Filed
536. Donald Symer to Town Board -
Conveyance of comments re: proposed yard sale ordinance. DISPOSITION = Received
and Filed
537. Michael Giallanza to Town Board -
Transmittal of comments re: proposed moratorium covering residential development.
DISPOSITION = Planning Committee
538. Town Clerk to Town Board -
Transmittal of monthly report for month of July, 2000. DISPOSITION = Received and
Filed

539. Mr. & Mrs. John Buczek to Town Board , Police Department
Transmittal of concerns re: zoning amendment application of Ferry Builders, Inc.
DISPOSITION = Planning Committee
540. Supervisor, Town of Aurora to Erie County Executive -
Suggestions re: Tobacco Settlement money. DISPOSITION = Received and Filed
541. Roy Schneggenburger to Supervisor -
Request response to letter dated June 23, 2000. DISPOSITION = Supervisor
542. Douglas Scranton to Town Board -
Transmittal of concerns re: intersections in Stony Brook Subdivision and Quail Run
Subdivision. DISPOSITION = Public Safety Committee
543. John Ruzsak to Town Board -
Transmittal of a breakdown of award monies for Safety grant through Erie Community
College. DISPOSITION = Received and Filed
544. Association of Erie County Governments to Town Board -
Meeting Notice August 24, 2000. DISPOSITION = Received and Filed
545. School and Municipal Energy Cooperative of Western New York to Town Board -
Meeting Notice August 15, 2000. DISPOSITION = Received and Filed

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER STEMPNIAK AND SECONDED BY THE
ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 10:58 P.M.**

Signed


Johanna M. Coleman, Town Clerk